IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CRIMINAL ACTION NO. 5:16-CR-00045-KDB-DCK

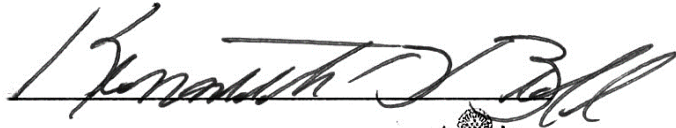|	
UNITED STATES OF AMERICA,	
v.	**ORDER**
STEVEN MATTHEW DONALDSON,	
Defendant.	

     THIS MATTER is before the Court on Defendant's "Motion Requesting Pretrial Confinement Credit for Time Spent in State and Federal Custody." (Doc. No. 30). In his Motion, Defendant requests the Court award him with "61 days of pretrial confinement credit for time he spent in state custody on drug trafficking charges he was later federally indicted on" and another "217 days of pretrial confinement credit for time he spent in federal custody."

     The Attorney General (not the sentencing court) is responsible for computing a prisoner's credit. *See United States v. Wilson*, 503 U.S. 329, 335 (1992) (explaining that the Attorney General, through the BOP, and not the sentencing court, calculates credit for time served). A prisoner seeking review of the computation of his sentence credit must first seek administrative review of that computation through the BOP. Only after such administrative remedies have been exhausted can a prisoner then seek judicial review of his sentence computation. *Id.* Further, because "[a] claim for credit against a sentence attacks the computation and execution of a sentence rather than the sentence itself," *United States v. Miller*, 871 F.2d 488, 490 (4th Cir. 1989), such claims must be raised pursuant to 28 U.S.C. § 2241 in the district of confinement. *In re Jones*, 226 F.3d 328, 332 (4th Cir. 2000); 28 U.S.C. § 2241(a). Accordingly, Defendant should address his inquiry

regarding the computation of his sentence to the BOP. Once his BOP administrative remedies have been exhausted, he may seek judicial review in the district of his confinement.

IT IS THEREFORE ORDERED that Defendant's "Motion Requesting Pretrial Confinement Credit for Time Spent in State and Federal Custody," (Doc. No. 30), is **DENIED**.

Signed: July 27, 2021

Kenneth D. Bell
United States District Judge